

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

98 SEP -9 AM 9:39

U.S. DISTRICT COURT
N.D. OF ALABAMA

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ENTERED

SEP - 9 1998

ALLEN DALE GOLDEN,

Plaintiff,

vs.

CV 98-H-1271-E

CLAY COUNTY SHERIFF'S
DEPARTMENT and SHERIFF
RALPH TOLAND,

Defendants.

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 10, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on August 25, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 9th day of September, 1998.

James H. Hancock

JAMES H. HANCOCK
SENIOR UNITED STATES DISTRICT JUDGE

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